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VIA ECF

Hon. Leo M. Gordon
United States District Court
District of New Jersey
2 Federal Square
Newark, NJ 07102

Re: *State of New Jersey v. U.S. Dep't of Transportation et al.*, No. 2:23-cv-03885

Dear Judge Gordon:

We write to provide several updates related to the remand proceedings ordered by the Court on December 30, 2024. *See* ECF No. 191. First, New Jersey intends to voluntarily seek to dismiss its appeal regarding the Court's denial of New Jersey's Application for an Order to Show Cause for Clarification and/or Reconsideration and for a Temporary Restraining Order and Preliminary Injunction. To be clear, New Jersey will—as it always has—continue to vigorously defend its rights and take all measures necessary to prevent the harm that will befall its citizens due to this congestion pricing scheme. New Jersey therefore reserves the right to appeal any future decisions from this Court, including a final decision on the remand proceedings and issues raised in the parties' summary judgment briefing. Second, New Jersey intends to seek leave of the Court to file an amended complaint to challenge the Federal Highway Administration's multiple re-evaluations of the congestion pricing program. New Jersey expects to file its application shortly.

Respectfully,

/s/ Randy M. Mastro

Randy M. Mastro

cc: All counsel of record (via ECF)